

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (310) 207-3800

Patent and Trademark Office.

Intellectual Property Law 12400 Wilshire Boulevard, 7th Floor Los Angeles, CA 90025

FACSIMILE: (310) 820-5988

FACSIMILE COVER SHEET

	١	Deliver to:	DEREK A. PUTONEN, USPTO)	Art Group:PCT Legal Office
F	ac	simile No.:	le No.: <u>1703-308-6459</u>		Date: February 19, 2004
		From:	Eric S. Hyman, Reg. No. 30,139		· · · · · · · · · · · · · · · · · · ·
Οι	ır C	ocket No.:	4890P001	N	umber of pages 11 including this sheet.
Application No		cation No.:	09/890,867	Filing Date: 8/1/2001	
				ſ	Docket Due Date(s):
En	clo	sed are the	following documents:		•
		Amendment:			Issue Fee Transmittal
		Appeal Brief	(in triplicate) (pgs)		Notice of Appeal
		Application:			Petition for:
X		I	(pgs) w/cover & abstract)		Request for Continued Examination (RCE)
		Assignment	& Cover Sheet (pgs)		Reply Brief (pgs)
		Certificate o	f		Request & Certification Under 35 USC 122(b)(2)(B)(i)
X		Continued P	rosecution Application (CPA)		Request to Rescind Previous Nonpublication Request
		Declaration	& POA (pgs)		Response to Notice of Missing Parts & Formalities Letter
		Drawings: _	sheets, figures		Response to Written Opinion (pgs)
		Extension of	f Time:		Terminal Disclaimer
		Fee Transm	ittal (in duplicate)		Transmittal of Publication Fee Due
		IDS & PTO/	SB/08 (pgs)		Transmittal Letter
	X		egal Office, Attn: Derek A. Putonen		sed to:
Ιh	ere	by certify tha	CERTIFICATE OF MAILING	G/TI	RANSMISSION (37 CFR 1.8A) y facsimile on the date shown below to the United States

Confidentiality Note: The documents accompanying this facsimile transmission contain information from the law firm of Blakely, Sokoloff, Taylor & Zafman which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

02/19/2004 Date

If you do not receive all the pages, or if there is any difficulty in receiving, please call: (310) 207-3800 and ask for Linda D'Elia.

Our Ref. No.: 004890.P001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	•
LOH ^^	Legal Examiner: Richard Cole
Application No: 09/890,867	
PČT No: PCT/\$G00/00012	Petitions Attorney: Derek A. Putonen
Int. Filing Date: 31 January 2000)	
Priority Date: 02 February 1999	PCT Legal Office
Attorney's Docket No: 4890P001	_
For: METAL CASTING)	

Attention: Derek A. Putonen PCT Legal Office

Commissioner for Patents **Box PCT** Alexandria, Virginia 22313-1450

LETTER

Dear Mr. Putonen:

Further to a telephone message you left this date, enclosed is a true copy of a Response To Communication and Notification of Abandonment which was filed September 25, 2002. Also enclosed is a copy of the postcard receipt showing its filing on September 25, 2002.

This is responsive to your telephonic message wherein you indicated that you had not received this response and requested that I fax you a true copy along with the postcard receipt.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN

Dated: February 19, 2004

. Hyman, Reg. No. 30,139

CERTIFICATE OF FACSIMILE TRANSMISSION

12400 Wilshire Boulevard Seventh Floor
Los Angeles, California 90025 (310) 207-3800

February 19, 2004

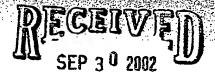
I hereby certify that this paper is being facsimile transmitted to Mail Stop – Attu: Derek A. Putonen, Box PCT, Commissioner for Patents, Alexandria, Virginia 22313-1450

ESH/Imd

Attachments:

(1) copy of Response To Communication and Notification of Abandonment; and

(2) copy of postcard receipt



BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LOS ANGELES

Serial/Patent No.: 09/890867 Client: // Wessers factory Title:	Filing/Issue Date:
BSTZ File No. 4890 . 900 Date Mailed: The following has been received in the U.S. Pa Amendment/Response (pgs.) Appeal Brief (ogs.) (in priplicate)	Atty/Secty Initials: Docket Due Date: Trademark Office on the date stamped hereon: Express Mail No.: Month(s) Extension of Time Amt
Application - Utility (pgs., with cover and absuract) Application - Rule 1.53(b) Continuation (pgs.) Application - Rule 1.53(b) Divisional (pgs.) Application - Rule 1.53(b) CIP (pgs.)	Information Disclosure Statement & PTO 449 (pgs.) Check No Issue Fee Transmittal Notice of Appeal Petition for Extension of Time
Application - Rule 1.53(d) CPA Transmittal (pgs.) Application - Design (pgs.) Application - PCT (pgs.) Application - Provisional (pgs.)	Petition for Postcard Power of Attorney (
Assignment and Cover Sheet Cartificate of Mailing Declaration & POA (pgs.) Disclaration & POA (pgs.)	Reply Brief (
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PTO/5B/21 (08-00)

Approved for use through 10/31/2002. OMB 0551-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless if displays a valid OMB control number.

TDAN	SMITTAL F		Application No.	09/8	90,867
IKAN	SIVILLI AL F	ORIVI	Filing Date	Aug	ust 1, 2001
(to be used for al	Il correspondence af	ter initial filing)	First Named Inventor	Pen	Loh
			Group Art Unit		
			Examiner Name		
Total Number of	Pages in This Submissi	on 7	Attorney Docket Numb	er 489	OP001
	ENCLO	SURES (chec	k all that apply)		
Fee Transmitta	l Fam	Assignment (for an App	t Papers lication)		After Allowance Communication to Group
Fee Atta	ched	Drawing(s)			Appeal Communication to Board of Appeals and Interferences
Amendment/R	esponse	Licensing-re	elated Papers		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
After Fin	al s/declaration(s)	Petition			Proprietary Information
Extension of Tin	ne Request	Petition to C Provisional	convert a Application		Status Letter
Express Abando	onment Request	Power of At Change of (torney, Revocation Correspondence Address		Other Enclosure(s) (please identify below):
Information Disc	closure Statement	Terminal 0	isdaimer		Response to communication and Notification of
Certified Copy of Document(s)	of Priority	Request for	Refund		Abandonment t/w pgs 1 & 13 of docket; postcard
Response to Mis Incomplete Appl	ssing Parts/ ication	CD, Numbe	r of CD(s)	_ _ '	eceipts
Respons Parts und 1.52 or 1.	e to Missing der 37 CFR 53	Remarks	_		
	CIONATUR				
			T, ATTORNEY, OR	AGENT	
Firm . or	Eric S. Hyman,	Reg. No. 30,	139		
Individual name	BLAKELY, S	OKOLOFF,	FAYLOR & ZA	MAN	LLP
Signature		20/			
Date	September 19,	2002			
	CERTIFIC	CATE OF MAILI	NG/TRANSMISSION		
I nereby certify that this postage in an envelope	correspondence is being addressed to: Assistant (deposited with the Commissioner for P	United States Postal Satents, Washington, D.C.	ervice as F . 20231 or	irst Class mail with sufficient : September 19, 2002
Typed or printed na	me L./Stapiro				Ochtember 13, 2002
Signature '	M	ンレ		Date	September 19, 2002

Burden Hour Statement: This farm is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/17 (11-01)

Approved for use through 10/31/20/2 (MB 0551-0032)

U.S. Patent and Tradsmark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

EEE TO A NOMITTAL		Complete if Known				
FEE TRANSMITTAL		Application Number			09/890,867	
for FY 2002		Filing Date			August 1, 2001	
Patent fees are subject to annual revision.		First Named Inventor		ептог	Peng Loh	
Applicant claims small entity status. See 37 CFR 1.27.		Examiner	Name			
	<u></u>	Group/Art			1000000	
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METHOD OF PAYMENT (check one)				FE	E CALCULATION (continued)	
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Number 02-2000	10		205	ණ 25	Surcharge - late filing fee or cath Surcharge - late provisional filing fee or	
Account Name Blakely, Sokoloff, Taylor & Zafman LLP	. "	.,		చ	COAct spect	
Name Blakely, Sokolott, Taylor & Zaillian LLP	1	99 130·	139	130	Non-English specification	
The Commissioner is authorized to: (check all that apply)	14	-	147	2,520	For filing a request for ex parte recommination	i
Charge fec(s) indicated below Credit any overpayments	11	5 20.	112	920	Requesting publication of SIR prior to Examiner action	
Charge any additional (66(s) required under 37 CFR 55 1.16, 1.17, 1.18 and 1.20.	11	1,840	113	1,840	Requesting publication of SIR after Examiner action	
Charge fee(s) indicated below, except for the filling fee to the above-dentified deposit account	1	15 110	215	55	Extension for reply within first month	
FEE CALCULATION		16 400	215	200	Extension for reply within second month	[
1. BASIC FILING FEE	11		217	480	Extension for reply within third month	
Large Entity Small Entity	11	18 1,440	218	720	Extension for reply within fourth month	[
Fee Foc Fee Fee Fee Description Fee Part	12	28 1,960	226	980	Extension for reply within fifth month	I
		19 320	219	160	Notice of Appeal	
101 740 201 370 Utility filing fee	12	20 320	220	180	Filing a brief in support of an apposit	
105 230 205 165 Design filing fee 107 510 207 255 Pisnt filing fee	12	21 280	221	140	Request for oral hearing	
108 740 209 370 Relssue filing fac	13	38 1,510	136	1,510	Patition to institute a public use proceeding	
114 160 214 80 Provisional filing fee	14	10 110	240	55	Potition to revive - unavoidable	
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2. EXTRA CLAIM FEES Extra Fee from	14	480	243	230	Dasign issue fee	
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	tz	22 130	122	130	Petitions to the Commissioner	
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Muttiple Dependent	12		126	120	Submission of Information Disclosure Stmt	
Large Entity Small Entity Fee Fee Fee Fee Fee Description	5	31 40	581	40	Recording each patent assignment per property (times number of properties)	
Fee Fee Fee Fee Description Code (\$)	14	≇G 740	246	370	Fling a submission after final rejection	
103 18 203 9 Claims in excess of 20	•				(37 CFR § 1.129(a))	
102 84 202 42 Independent claims in excess of 3	14	#9 7 40 3	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
104 250 204 140 Multiple Dependent claim, if not paid 109 84 209 42 "Roissus independent claims over original	17	79 740	279	370	Request for Continued Examinstion (RCE)	<u> </u>
109 84 209 42 "Ricissus independent cisims over original patent	16		169	900	Request for expedited examination	
110 16 210 9 "Reissue claims in excess of 20 and over				•	of a design application	
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Tor number previously paid, if greater, For Reissues, see below	- KEO	ucod by Basic F	ung ree	Paxi	SUBTOTAL (3) (\$)	
SUBMITTED BY					Campleto (if applicable	

Name (PanisType) Eric S. Hyman Registration No. (Attorney/Agent) 30,139 Telephone (714) 557-3800
Signature Date 09/19/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.

Burdon Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Our Ref. No.: 004890.P001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:	Examiner:
Peng Loh)	Examiner.
Serial No. 09/890,867	Art Group:
Filed: 8/1/2001	
For: METAL CASTING)	

RESPONSE TO COMMUNICATION AND NOTIFICATION OF ABANDONMENT

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

Sir:

This is in response to a Communication and Notification of Abandonment mailed August 12, 2002.

The Communication indicates that the present application is abandoned for failure to complete the requirements of 35 USC 371(c) for entry into the National Stage in the United States as indicated in a Notification of Missing Requirements allegedly mailed on October 1, 2001.

In response, and as noted in the Requests for Status mentioned in the Communication filed February 1, 2002 (mailed January 8, 2002 as evidenced by certificate of mailing) and filed April 11, 2002 (mailed April 1, 2002 as evidenced by certificate of mailing), Applicant had not received any communication from the United States Patent and Trademark Office other than a postcard receipt indicating receipt in the receiving office on August 1, 2001 (incorrectly specified in the Requests for Status due to typographical error as August 10, 2001). Applicant notes that in the Communication it is alleged that the Notification of Missing Requirements was mailed on October 1, 2001. Assuming this to be true, had such notification been mailed and received the due date to reply to the



Notification would have been docketed by the attorneys of record, two months after the alleged mailing date, i.e., December 1, 2001. In this connection, submitted herewith is a copy of a portion of a docket report showing the due date December 1, 2001 including pages 1 and 13 of a 32 page report. Page 1 is provided to show the report is for the due date of December 1, 2001. Page 13 is provided because the report is sorted by client and matter and, for this filing, for client matter number 004890.P001, the docket entry would have appeared on page 13 where indicated had the notification been received. Serial numbers have been blocked out due to confidentiality.

Accordingly, this is to request that the Notification of Missing Requirements under 35 USC 371 be mailed to the attorneys of record and assigned a new mailing date and mailed so as to provide Applicant with a two month period of time from such mailing date within which to reply.

Applicant notes that it is not in a position to file a petition to revive since Applicant cannot provide the information requested in the Notification of Missing Requirements which, as noted above, has not been received.

Respectfully submitted,

BLAKELY,	SOKOLOFF, TAYLOR & ZAFMAN	
Dated: 9/19 2002		
, , , , , , , , , , , , , , , , , , ,	ric S. Hyman, Reg. No. 30,139	
12400 Wilshire Blvd., 7th Floor Los Angeles, California 90025-1026 (310) 207-3800	I hereby certify that this correspondence is being deposite with the United States Postal Service as first class mail in envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on	:d an
	Lynda Shapiro Date	



Docket prepared 9/18/2002



Atty	Client.Matter	Client Name	Country	Pat/Ser/Reg	Description
Saturday	, December 1, 20	01			
SWS LNB	01090.951	Mr. Lou Adler		1,180,298	US TM renewal deadline
SKD EHT LNB	01340.T012	Voyan Technology			Watch for first office action
TMC	02031 . P001	Superior Radiant Insulation, Inc.		5799461	First maintenance fee due 3/1/2002; follow up as necessary
Received les	tter from client instru	r to client regarding deadli cting BSTZ to pay maintend ase was added to the CPI B	ance fee - TMC	Cismo 1 - TMC/smo	· .
RWB	02106 . p014x	Inovate Manufacturing		2007,200.	Response due to file corrected application papers.
11/8/01 - Pla	ease add JAH initials ((jc)			pupers.
GWH	02150 . P003xd	Sam Ahn		5,843,170	First maintenance fee due 6/1/2002; notification letter to client
лнѕ	02193 . P001	Luminex Software, Inc.		5802327	First maintenance fee due 3/1/2002; follow up as
Added to aut	0-pay account 10/1/07	1. (10/1/01 cmw)			necessary .
MES	02240 . P097	Trimble Navigation Ltd.			Two months since final oa was mailed
MES DEO	02240 . P106	Trimble Navigation Ltd.			Reminder:Issue fee due/Formal drawings due by 2/1/02
LNB DFA	02252 . G041	Sage Publications, Inc.	CTM		Response due associate, arbitrary date



Docket prepared 9/18/2002



Atty	Client.Matter	Client Name C	ountry Pat/Ser	Reg Description
MAB SKW	04887 . P609PCT	Applied Materials, Inc. P	CT US01/	Watch for Search Report; Amended claims to be in Geneva two months from receipt of Search Report
4062 ETCH	I/DICP/JB			
skw	04887 . P624PCT	Applied Materials, Inc. Po	CT US01	Check PCT date docketing - PCT dates docketed on 10/18/2001
5181/cpes/co please clear				
MAB SKW	04887 . P624PCT	Applied Materials, Inc. Po	CT US01/	Watch for Invitation
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MWH	04896 . T010	California Early Literacy Learning	173,681	Watch for Certificate of Registration
MWH	04896.T017	California Early Literacy Learning	189,177	Watch for Certificate of Registration
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TVN RST	04926 . P001	Global Board of Trade	Eggs av	Watch for first office action
EHT	05004 . P001EP	Grischa Corporation EP	O a a a a a a a a a a a a a a a a a a a	Reminder:Deadline to file response in EPO is 1/1(hard deadline 2/8)
ent.	05004 . P022	Grischa Corporation		Reminder:Deadline to file utility application based on provisional/Foreign filing deadline is 6/1/2002
HS	05147 . P001	Klaus Bībl		F/F priority deadline

^{7/}F letter to client 6/8/01. (6/8/01 cmw) Application has been PCT filed. (12/03/01 cmw)



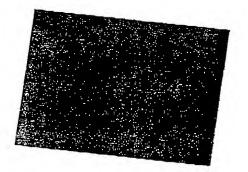
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BLAKELY, SOKOLOFF, YAYLER & ZAFMAN LOS ANGELES

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App. No. 09/890.867 Filing Date:	BSTZ Docket #: 4890P001 Atty/Sec: ADB
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The following has been received in the U.S. Patent 8	Trademark Office on the date stamped hereon
O Amendment/Response (pgs) O Amendment/Response After Final (pgs) O Appeal Brief & two copies (pgs each) O Application - Rule 1.53(b) (Fee Transmittal (original & copy) Form PTO-1533 Information Disclosure Statement & PTO-1449 DEM Issue Fee Transmittal Notice of Appeal Petition for Edension of Time: (

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************ *** RX REPORT *** *************

RECEPTION OK

TX/RX NO

RECIPIENT ADDRESS

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PGS. RESULT

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OK